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Docket No.: 0425-1257PUS1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Kazuhiro MACHIDA et al.

Application No.: 10/577,655

Confirmation No.: 3246

Filed: May 1, 2006

Art Unit: N/A

For: DNA PARTICIPATING IN  
HYDROXYLATION OF MACROLIDE  
COMPOUND

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR  
PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures dated February 12, 1007, Applicant respectfully submits:

☒ Attached is a copy of the Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures.

☐ Attached is the Executed Declaration and Power of Attorney ☐ Original ☐ Photocopy.

☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on June 22, 2006, including any amendments thereto (if applicable) filed on even date therewith.

☐ The undersigned hereby declares that "Attorney Docket No. 0425-1257PUS1" on page 1 of the attached Inventors' Declaration corresponds to Appl. No. 10/577,655 filed May 1, 2006 entitled "DNA PARTICIPATING IN HYDROXYLATION OF MACROLIDE COMPOUND"

☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

☐ Attached are @@@ sheet(s) of drawings. Please substitute these replacement drawings for the corresponding @@@ sheet(s) of drawings on file in the above-identified application.

☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

☒ Attached is the paper and CRF disk copy of the Sequence Listing.

☒ Attached is an Amendment.

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

☐ Attached is a Supplemental Application Data Sheet (ADS).

☐ Submitted concurrently herewith under separate cover for recording is an Assignment.

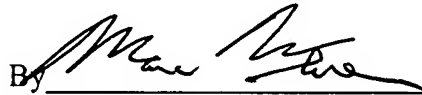
☐ Attached is a Petition for Extension of Time.

☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: **MAY 9 2007**

Respectfully submitted,

By 

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Attachment(s)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,655	Kazuhiro Machida	04251257PUS1

2292  
BIRCH STEWART KOLASCH & BIRCH  
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FALLS CHURCH, VA 22040-0747

**DOCKETED**

*sequence listing*  
*5-9-2007*

INTERNATIONAL APPLICATION NO.	
PCT/JP04/17906	
I.A. FILING DATE	PRIORITY DATE
11/25/2004	11/27/2003

CONFIRMATION NO. 3246

371 FORMALITIES LETTER



\*OC000000022820533\*

Date Mailed: 03/09/2007

### NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,655	PCT/JP04/17906	04251257PUS1

FORM PCT/DO/EO/922 (371 Formalities Notice)